

# Exhibit C

5:17 P.M.

## Supreme Court of Pennsylvania



## Appeal Docket Sheet

Docket Number: 31 EAP 2023

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April 1, 2024

## CAPTION

Commonwealth of Pennsylvania, Pennsylvania Game Commission, Appellant

v.

Thomas E. Proctor Heirs Trust, under Declaration of Trust dated October 28, 1980, which is recorded in Sullivan County in Book 1106, at page 879, its successors and assigns, Appellee

## CASE INFORMATION

Initiating Document: Order Granting Petition for Certification of Question of Law

Case Status: Active

Journal Number:

Case Category: Civil Case Type(s): Other

## CONSOLIDATED CASES

## RELATED CASES

## COUNSEL INFORMATION

Attorney: Scarinci, Michael John  
 Pennsylvania Office of Attorney General, 16th Floor , Strawberry Square, Harrisburg, PA

Address: Pa Office Of Attorney General  
 15TH Floor Strawberry Sq  
 Harrisburg, PA 17120

Phone No: (717) 857-2184

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Commonwealth of Pennsylvania, Pennsylvania Game Commission, Appellant

Pro Se: No

IFP Status:

Attorney: Bibikos, George A.  
 GA BIBIKOS LLC

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Receive Mail: Yes

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Representing: Marcellus Shale Coalition, Appellant Amicus Curiae

Pro Se: No

IFP Status:

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## COUNSEL INFORMATION

Attorney:	Brier, Daniel Thomas	
	Myers, Brier & Kelly, LLP	
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	425 Biden St Ste 200	
	Scranton, PA 18503	
Phone No:	(570) 342-6100	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	EQT AMD LLC, Appellant Amicus Curiae	
Pro Se:	No	
IFP Status:		
Representing:	EQT ARO LLC, Appellant Amicus Curiae	
Pro Se:	No	
IFP Status:		

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Attorney:	Burnett, Robert Joseph	
Address:	Houston Harbaugh Pc	
	401 Liberty Ave Fl 22	
	Pittsburgh, PA 15222-1005	
Phone No:	(412) 281-5060	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	International Development Company, LLC, Appellant Amicus Curiae	
Pro Se:	No	
IFP Status:		

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Attorney:	Ebersole, Joshua Benjamin	
	Department of Conservation and Natural Resources	
Address:	Pa Department Of Conservation And Natural Resources	
	400 Market St 7th Fl	
	Harrisburg, PA 17105	
Phone No:	(717) 783-4543	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Commonwealth Of Pennsylvania, Department of Conservation and Natural Resources, Appellant Amicus Curiae	
Pro Se:	No	
IFP Status:		

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## COUNSEL INFORMATION

Attorney: Armezzani, Richard Louis  
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 Representing: EQT AMD LLC, Appellant Amicus Curiae  
 Pro Se: No  
 IFP Status:  
 Representing: EQT ARO LLC, Appellant Amicus Curiae  
 Pro Se: No  
 IFP Status:

Attorney: Dempsey, John B.  
 Myers, Brier & Kelly, LLP  
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 425 Biden St Ste 200  
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 Phone No: (570) 342-6100  
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 Receive EMail: Yes Email:  
 Representing: EQT AMD LLC, Appellant Amicus Curiae  
 Pro Se: No  
 IFP Status:  
 Representing: EQT ARO LLC, Appellant Amicus Curiae  
 Pro Se: No  
 IFP Status:

Attorney: O'Donnell, Brendan Andrew  
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 Pittsburgh, PA 15222  
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 Representing: International Development Company, LLC, Appellant Amicus Curiae  
 Pro Se: No  
 IFP Status:

Attorney: Weber, Justin G.  
 Troutman Pepper Hamilton Sanders LLP  
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 Harrisburg, PA 17101-2000  
 Phone No: (717) 255-1170  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Thomas E. Proctor Heirs Trust, Appellee  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

Attorney: Aronchick, Mark Alan  
 Hangley, Aronchick, Segal, Pudlin & Schiller  
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 1 Logan Sq Fl 27  
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 Representing: Thomas E. Proctor Heirs Trust, Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Healy, Christopher Robert  
 Troutman Pepper Hamilton Sanders LLP  
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 Representing: Thomas E. Proctor Heirs Trust, Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Lange, Laura Ann  
 Address: 1670 Sturbridge Dr  
 Sewickley, PA 15143  
 Phone No: (847) 800-8334  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Thomas E. Proctor Heirs Trust, Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Wiygul, Robert Andrew  
 Hangley Aronchick Segal Pudlin & Schiller  
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 Philadelphia, PA 19103  
 Phone No: (215) 496-7042  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Thomas E. Proctor Heirs Trust, Appellee  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

Attorney: Oberdick, David Glenn

Address: Meyer Unkovic & Scott LLP  
535 Smithfield St Ste 1300  
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Receive EMail: Yes Email:

Representing: Hoyt Royalty, LLC, Appellee Amicus Curiae

Pro Se: No

IFP Status:

Representing: Thorne Heritage Resources, LLC, Appellee Amicus Curiae

Pro Se: No

IFP Status:

Attorney: Woods, Corrie Allen

Address: 200 Commerce Dr Ste 210  
Moon Township, PA 15108

Phone No: (412) 329-7751

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Donovan, Michael, Appellee Amicus Curiae

Pro Se: No

IFP Status:

Representing: Reed, David, Appellee Amicus Curiae

Pro Se: No

IFP Status:

## SUPREME COURT INFORMATION

Appeal From:

Probable Jurisdiction Noted: Docketed Date: November 27, 2023

Allocatur/Miscellaneous Granted: November 27, 2023 Allocatur/Miscellaneous Docket No.: 77 EM 2023

Allocatur/Miscellaneous Grant Order: AND NOW, this 27th day of November, 2023, the Petition for Certification of Question of State Law is GRANTED. The Court shall consider the following issue:

Whether, on the record provided here, a 1908 tax sale of an unseated parcel of land, induced by the surface owner's failure to pay taxes on the estate, and made to an agent of the defaulting surface owner, constitutes a title wash, thereby divesting the subsurface owner of his interest in the estate?

The Pennsylvania Game Commission is DESIGNATED as Appellant, and the Thomas E. Proctor Heirs Trust is DESIGNATED as Appellee.

The Prothonotary is DIRECTED to establish a briefing schedule and list this case for oral argument.

## FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
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## INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Docket Number:  
 Date of Order: Rearg/Recon Disp Date:  
 Rearg/Recon Disposition:  
 Judge(s):  
 Intermediate Appellate Court Action:  
 Referring Court: U. S. Court of Appeals, Third Circuit

## AGENCY/TRIAL COURT INFORMATION

Court Below: U.S. Court of Appeals, 3rd Circuit  
 County: Division: U.S. Court of Appeals, 3rd Circuit  
 Date of Agency/Trial Court Order:  
 Docket Number: 22-1587  
 Judge(s): OTN:  
 Order Type:

Court Below:  
 County: Division:  
 Date of Agency/Trial Court Order:  
 Docket Number: U.S. D.C. No. 1-12-cv-01567 - Conner,  
 Judge(s): OTN:  
 Order Type:

## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Trial Court Record	November 27, 2023	

## Record Remittal:

## BRIEFING SCHEDULE

<b>Appellant</b>	<b>Appellee</b>
<b>Commonwealth of Pennsylvania, Pennsylvania Game Commission</b>	<b>Thomas E. Proctor Heirs Trust</b>
<b>Brief</b>	<b>Brief</b>
Due: January 22, 2024	Filed: January 22, 2024
<b>Reply Brief</b>	
<b>Reproduced Record</b>	<b>Supplemental Reproduced Record</b>
Due: January 22, 2024	Filed: January 22, 2024
<b>Appellant Amicus Curiae</b>	<b>Appellee Amicus Curiae</b>
<b>Commonwealth Of Pennsylvania, Department of Conservation and Natural Resources</b>	<b>Donovan, Michael</b>
<b>Brief</b>	<b>Brief</b>
Due: January 22, 2024	Filed: January 22, 2024
<b>Hoyt Royalty, LLC</b>	<b>Brief</b>
Due: March 27, 2024	Filed: March 27, 2024
<b>Brief</b>	<b>Brief</b>
Due: March 27, 2024	Filed: March 27, 2024

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## BRIEFING SCHEDULE

<b>Appellant Amicus Curiae</b>		<b>Appellee Amicus Curiae</b>	
<b>Commonwealth Of Pennsylvania, Department of Conservation and Natural Resources</b>		<b>Hoyt Royalty, LLC</b>	
<b>EQT AMD LLC</b>		<b>Reed, David</b>	
<b>Brief</b>		<b>Brief</b>	
Due: January 22, 2024	Filed: January 22, 2024	Due: March 28, 2024	Filed: March 27, 2024
<b>EQT ARO LLC</b>		<b>Thorne Heritage Resources, LLC</b>	
<b>Brief</b>		<b>Brief</b>	
Due: January 22, 2024	Filed: January 22, 2024	Due: March 27, 2024	Filed: March 27, 2024
<b>International Development Company, LLC</b>			
<b>Brief</b>			
Due: January 22, 2024	Filed: January 22, 2024		
<b>Marcellus Shale Coalition</b>			
<b>Brief</b>			
Due: January 22, 2024	Filed: January 22, 2024		

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>November 27, 2023</b>	<b>Granted Petition for Certification of Question of Law</b>		Per Curiam
Comments: AND NOW, this 27th day of November, 2023, the Petition for Certification of Question of State Law is GRANTED. The Court shall consider the following issue: Whether, on the record provided here, a 1908 tax sale of an unseated parcel of land, induced by the surface owner's failure to pay taxes on the estate, and made to an agent of the defaulting surface owner, constitutes a title wash, thereby divesting the subsurface owner of his interest in the estate? The Pennsylvania Game Commission is DESIGNATED as Appellant, and the Thomas E. Proctor Heirs Trust is DESIGNATED as Appellee. The Prothonotary is DIRECTED to establish a briefing schedule and list this case for oral argument.			
<b>November 27, 2023</b>	<b>Case was transferred from 77 EM 2023</b>		Office of the Prothonotary
Comments: Case was transferred from 77 EM 2023			
<b>November 27, 2023</b>	<b>Original Record Transfer</b>		U.S. Court of Appeals, 3rd Circuit
<b>December 7, 2023</b>	<b>Designation of Contents of Reproduced Record</b>	Appellant	Commonwealth of Pennsylvania, Pennsylvania Game Commission
<b>December 7, 2023</b>	<b>Praecipe for Appearance</b>	Appellee	Aronchick, Mark Alan
<b>December 7, 2023</b>	<b>Praecipe for Appearance</b>	Appellee	Wiygul, Robert Andrew

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
December 15, 2023	Application for Extension of Time to File Brief - First Request	Appellant	Commonwealth of Pennsylvania, Pennsylvania Game Commission
December 18, 2023	Counter Designation of Contents of Reproduced Record	Appellee	Thomas E. Proctor Heirs Trust
December 19, 2023	Order Granting Application for Extension of Time to File Appellant Brief		Gorman, Kaitlin A.
Comments: AND NOW, this 19th day of December, 2023, the "Designated Appellant's Unopposed Application for Extension of Time to File Its Opening Brief and the Reproduced Record" is GRANTED. Appellant's brief and reproduced record shall now be due in this Court on or before January 22, 2024.			
December 19, 2023	Order Exited		Office of the Prothonotary
January 22, 2024	Appellant's Reproduced Record Filed	Appellant	Commonwealth of Pennsylvania, Pennsylvania Game Commission
January 22, 2024	Appellant's Brief	Appellant	Commonwealth of Pennsylvania, Pennsylvania Game Commission
January 22, 2024	Appellant's Amicus Brief	Appellant Amicus Curiae	Marcellus Shale Coalition
January 22, 2024	Appellant's Amicus Brief	Appellant Amicus Curiae	Commonwealth Of Pennsylvania, Department of Conservation and Natural Resources
January 22, 2024	Appellant's Amicus Brief	Appellant Amicus Curiae	International Development Company, LLC
January 22, 2024	Appellant's Amicus Brief	Appellant Amicus Curiae Appellant Amicus Curiae	EQT AMD LLC EQT ARO LLC
February 1, 2024	Application for Extension of Time to File Brief - First Request	Appellee	Thomas E. Proctor Heirs Trust
February 7, 2024	Order Granting Application for Extension of Time to File Appellee Brief		Rothermel, Steven
Comments: AND NOW, this 7th day of February, 2024, the "Unopposed Application of Designated Appellee for Extension of Time to File Answer Brief" is GRANTED. Designated Appellee's brief is now due in this Court on or before March 27, 2024.			
February 7, 2024	Order Exited		Office of the Prothonotary

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 27, 2024	Appellee Amicus Curiae Brief	Appellee Amicus Curiae Appellee Amicus Curiae	Thorne Heritage Resources, LLC Hoyt Royalty, LLC
March 27, 2024	Amicus Curiae Brief	Appellee Amicus Curiae Appellee Amicus Curiae	Donovan, Michael Reed, David
March 27, 2024	Appellee's Brief	Appellee	Thomas E. Proctor Heirs Trust

## CROSS COURT ACTIONS

Docket Number: 77 EM 2023